

## ABSTRACT

### PRINCIPLES OF PROPERTY RIGHT IN THE GUARANTEE INSTITUTION WITH THE OBJECT OF COLLATERAL ARE WAREHOUSE RECEIPT

Warehouse Receipt System Act No. 9 of 2006 as amended by Warehouse Receipt System Act No. 9 of 2011 are objectives to provide and improve public access to legal certainty, protecting people and expand their access to financing facilities, farmers, warehouse operator, lenders and banks to access capital in order to improve its business. The main issues elaborated in this legal research are the essence of the warehouse receipt, the type of collateral that weigh on the warehouse receipt and the execution.

The type of this research is the normative study. The approach of this research are statute approach, conceptual approach and comparative approach.

There are three results in this research. Firstly, the issuing of the Warehouse Receipt System Act that introduced the warehouse receipt term. Warehouse Receipt is a proof of ownership of a commodity that can be negotiable, exchanged and pledged. Warehouse receipts is categorized as movable good.

Secondly, Article 12 of Warehouse Receipt System Act delivers specific security warehouse receipt, that is security right of the warehouse receipt. The character of security rights is not reflected in the security right over the warehouse receipt, therefore, the position of this type of collateral that should provide certainty and legal protection becomes weaker. Based on the specific character of warehouse receipt that is negotiable movable good and can also be easily moved, thus, the appropriate type of collateral that weighs on warehouse receipt is pledge.

And the last, the guarantee would have no meaning if there is no certainty at the time of execution. Warehouse receipt as a pledged movable good shall comply with the terms of execution in pledge.

Keywords : warehouse receipt, movable good, type of collateral, pledge, execution.